

CITY COUNCIL PROCEEDINGS.

Council Chamber, 4th Aug., 1873.

The regular meeting of the Board of Aldermen was held in the Council Chamber last night, His Worship the Mayor in the chair, and present:—

Ald. McDonald, Rapley, Moffat, McPhail, Smyth, Shaw, Leonard, Williams, Partridge, senr., Starr, Egan, Graydon, Christie, Murray.

The minutes of the two previous meetings were read and confirmed.

COMMUNICATIONS WERE RECEIVED

From Mr. Warren Rock, on behalf of a client, Mr. George Nickells, claiming \$30 for damages done to a horse and buggy whilst driving in No. 7 Ward. Referred to Board of Works.

From Mr. Henry Lacroix, of Ottawa, asking an order for his "Canadian Guide Book of Reference." Fyled.

From Messrs. Scatcherd and Meredith, City Solicitors, submitting the following communication with reference to the appeal of the Gas Company and His Honor Judge Elliot's decision:—

The Judge has allowed the Company's appeal in this matter, and reduced its assessment to \$25,000. When the appeal was read it was agreed between the appellant's solicitor and ourselves, that the sole point to be determined by the Judge was, whether the Company's mains were real or personal estate, and that in the event of his deciding that they were real estate the assessment should be confirmed, while if he came to the conclusion that they were personal estate, the assessment was to be reduced to \$25,000, and upon this understanding, which was communicated to the Judge, the appeal was argued before him.

Upon examining his Honor's judgment we are much surprised to find that he has entirely ignored this arrangement, and determined the appeal upon a point not raised by the appellants or argued before him, and that he has omitted entirely to decide the real question at issue. The ground upon which his judgment proceeds is that assuming the mains are real estate. They are not part of the lots on which the gas works stand, and that it was the duty of the assessor to have described in his roll the local situation of them, and that not having done so they have not in fact been assessed at all.

Apart from all these questions having been excluded except the one we have already mentioned, the decision of the Judge is in our judgment entirely erroneous, and even assuming his conclusion to be correct his plain duty under the act was not to have allowed the appeal, but to have amended the roll by inserting the proper description and locality of the mains, and to have confirmed the assessment as so amended.

However his decision is final and there is no appeal from or relief against it.

Referred to the Revision Court.

From Messrs. Becher, Street & Becher, asking the city for funds due Joshua Blackhall on an arbitration award, amounting to \$250.52.

On motion the amount was ordered to be paid.

From Mr. Duncan Campbell and twenty-five others, petitioning the Board to appropriate \$130 for the purpose of draining a pond on Colborne street, in Ward No. 7. Referred to Board of Works.

Accounts were received from Mr. Thomas Peel, police clothing, &c., \$63.75; E. A. Taylor & Co., book-binding, \$32.10. Referred to Finance Committee.

From John Hunter and others, residents of South Clarence street, complaining of the stench emitted from a soap and potash factory in the neighborhood, as dangerous to the public health. Board of Health.

From Rev. J. F. Baylis and 802 others, with reference to the check of intemperance in the city, and asking the Commissioners to retain the services of Inspector Crawford.

Some discussion arose on the matter of referring the above petition. Various suggestions were given, and attacks made on the Police Commissioners for engaging Mr. Crawford, which was satisfactorily explained by the Mayor as chairman of that body.

Many of the members expressed their views on the efforts of the Commissioners to enforce the liquor laws, generally extolling their action in that matter.

Ald. Moffat moved that the petition be referred to the Police Commissioners, seconded by Ald. Egan. Carried.

RAILWAYS.

Ald. Graydon reported progress from this Committee, with reference to the new Grand Trunk Railway buildings in this city.

The Board then adjourned for two weeks.